

Our Ref DOIA 24-101  
Your Ref Application and Decision

9 November 2023

**Wellington Office**

Radio New Zealand House  
155 The Terrace  
PO Box 5501  
Wellington 6145  
New Zealand  
T 0800 665 463  
F +64 4 472 2244  
E [customersupport@linz.govt.nz](mailto:customersupport@linz.govt.nz)  
W [www.linz.govt.nz](http://www.linz.govt.nz)

[REDACTED]  
[REDACTED]  
Tēnā koe [REDACTED]

**Response to your official information request**

Thank you for your Official Information Act request received on 12 October 2023 for the application and decision on Alpha Theta's purchase of Serato.

This response letter concerns the release of the Application, Overseas Investment Assessment Report and Notice of Decision and accompanying Consent for case 202300399, for Alpha Theta Corporation to acquire up to 100% of the shares in Serato Audio Research Limited.

Some information has been withheld under:

- Section 9(2)(a) to protect privacy of natural persons.
- Section 9(2)(b)(ii) as it would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information.
- Section 9(2)(ba)(i) to protect information which is subject to an obligation of confidence where the making available of the information would be likely to prejudice the supply of similar information, or information from the same source, and it is in the public interest that such information should continue to be supplied.

We are of the view the withholding of the information is not outweighed by the public interest to make that information available.

Please note the engagement the New Zealand Commerce Commission had with the applicant differs slightly to that portrayed in the Assessment Report and what is recorded at paragraph 49 of Assessment Report is an encapsulated summary. For clarification, the New Zealand Commerce Commission "encouraged the parties to utilise the formal clearance process" on the basis of "prima facie concerns that the proposed acquisition would, or would be likely to, have the effect of substantially lessening competition in a relevant market in New Zealand".

You have the right to seek an investigation and review by the Ombudsman of this decision. Information about how to make a complaint is available at [www.ombudsman.parliament.nz](http://www.ombudsman.parliament.nz) or freephone 0800 802 602.

Please note, this response letter outlining our decision on your request, **with your personal details withheld**, and any attached documentation will be published on the Toitū Te Whenua Land Information New Zealand's website. This is likely to be published within the next month.

Nāku noa, nā



Anneke Turton  
Leader Assessment Regulatory Practice and Delivery

Proactive Release